

FORM PTO-1390
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
024931-00054

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: July 9, 2007

U.S. APPLN. NO. (IF KNOWN, SEE
37 C.F.R. 1.5) 10/592,019

INTERNATIONAL APPLICATION NO.
PCT/EP05/01989

INTERNATIONAL FILING DATE
February 25, 2005

PRIORITY DATE CLAIMED
March 8, 2004

TITLE OF INVENTION: POSITIONING DEVICE FOR A TUBULAR LABEL AT A PRE-ESTABLISHED HEIGHT FROM A BOTTLE IN A LABELLING MACHINE

APPLICANT(S) FOR DO/EO/US: Vanni ZACCHE (Mantova, ITALY); Luigi PANZETTI (Parma, ITALY)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected (Article 31).
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application into English [35 U.S.C. 371(c)(2)].
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; and PTO-SB08 Form.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information: Notification of Missing Requirements (PTO)

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/592,019		INTERNATIONAL APPLICATION NO. PCT/EP05/01989		ATTORNEY DOCKET NO. 024931-00054	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic National Fee		.....	\$300.00	\$ 300.00	
22. <input checked="" type="checkbox"/> Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		.....	\$100.00	\$	
All other situations		.....	\$200.00		
23. <input checked="" type="checkbox"/> Search Fee Search Fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Searching Authority		.....	\$100.00	\$	
International Search Report prepared and provided to the Office		.....	\$400.00		
All other situations		.....	\$500.00		
TOTAL OF CALCULATIONS FOR 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate	
- 100 =	/50 =			x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		x \$ 50.00	\$	
Independent Claims	- 3 =		x \$200.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction by one-half for filing by small entity, if applicable. Small entity status under 37 C.F.R. §§1.9 and 1.27 is hereby claimed.				\$	
SUBTOTAL =				\$ 130.00	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +				\$	
TOTAL NATIONAL FEE =				\$ 130.00	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 170.00	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> Check # _____ in the amount of \$170.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ _____ to cover the above fee. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, the application (37 C.F.R. 1.157(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Customer No. 004372 Arent Fox LLP 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810					
<div style="text-align: right;">01 FC:1617 George E. Oran, Jr. Reg. No.: 27,931</div> <div style="text-align: right;">07/18/2007 ORREV1 00000134 10592019 130.00 OP GEO:tmp</div>					



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/592,019	Vanni Zacche(Matova, Italy)	024931-00054

INTERNATIONAL APPLICATION NO.

PCT/EP05/01989

I.A. FILING DATE	PRIORITY DATE
02/25/2005	03/08/2004

4372
 ARENT FOX PLLC
 1050 CONNECTICUT AVENUE, N.W.
 SUITE 400
 WASHINGTON, DC 20036

CONFIRMATION NO. 6999

371 FORMALITIES LETTER



OC000000023739850

Date Mailed: 05/08/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/07/2006
- Copy of the International Search Report filed on 09/07/2006
- Preliminary Amendments filed on 09/07/2006
- Information Disclosure Statements filed on 09/07/2006
- Request for Immediate Examination filed on 09/07/2006
- U.S. Basic National Fees filed on 09/07/2006
- Priority Documents filed on 09/07/2006
- Specification filed on 09/07/2006
- Claims filed on 09/07/2006
- Abstracts filed on 09/07/2006
- Drawings filed on 09/07/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/592,019	PCT/EP05/01989	024931-00054

FORM PCT/DO/EO/905 (371 Formalities Notice)